

# Pentagon Cites Wide Mylai Cover-up

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The Mylai massacre, in which at least 175 and possibly more than 400 Vietnamese civilians were murdered by American soldiers, involved a massive cover-up aimed at hiding the true nature of the atrocities, according to a long-suppressed Pentagon report made public yesterday.

"At every command level within the Americal Division actions were taken, both wittingly and unwittingly, which effectively suppressed information concerning the war crimes committed," the report released by Army Secretary Howard W. Callaway stated.

Callaway made public key portions of a long secret report containing find-

ings and conclusions of a special inquiry group headed by Lt. Gen. William R. Peers.

The Peers report, covering four volumes, was submitted to then-Army Secretary Stanley R. Resor and Chief of Staff William C. Westmoreland in March, 1970. Volumes 2 and 4 are still being withheld from the public Callaway said, because they contain raw investigatory material that might damage the lives, careers and reputations of individuals against whom accusations were made.

Volume 1 consists of the analyses, findings and conclusions.

Volume 3 contains other documentary evidence.

Callaway said he was releasing the report in hopes that it would close

the book on the Mylai case, as far as the Army is concerned.

"The release of this report concludes a dark chapter in the Army's history," he said. "It is an incident from which the Army has learned a great deal. The lessons have been acted upon: Army training has been revised to emphasize the personal responsibility of each soldier and officer to obey the laws of land warfare and the provisions of the Geneva and the Hague Conventions."

In response to a question, Callaway said the report showed "no evidence of any kind" that the cover-up attempts went any higher than Maj. Gen. Samuel Koster, who commanded the Americal Division.

See MYLAI, A4, Col. 1

Last week Calley was freed on bail from the Army's disciplinary barracks at Ft. Leavenworth, Kan. That same day Secretary Callaway announced he already had signed Calley's parole order, to become effective Nov. 19.

Yesterday Callaway defended his action. Calley, he said, had been a "model prisoner," and gave no indication of being a danger to anyone else. He pointed out that on Nov. 19 Calley will have completed one-third of his 10-year sentence and was therefore eligible for parole.

He also noted that since the Peers report was submitted charges were brought against 18 persons in connection with Mylai. Four of those were brought to trial, and three were acquitted. Charges were dismissed against 12 others.

The Army, he added, has taken administrative action against eight other individuals. One of those was Maj. Gen. Koster. He was reduced in rank to brigadier general and censured. He has since retired.

Four pages in the Peers report are devoted to Koster's actions. They begin with the statement that the general "did not insure that the Army for this... operation included provisions for the handling, screening and treatment of the noncombatant inhabitants of the area."

The report further states that after being informed of civilian deaths there, "he did not take positive action to insure that such casualties were reported through the proper chain of command, nor is there any indication that he took any strong positive action to prevent any further killing or to otherwise minimize non-combatant casualties."

## U.S. Reports Cover-up of Mylai Crimes

MYLAI, From A1

The findings about the massacre in an obscure Vietnamese village in March of 1968 are harsh and specific. They show that at least as many as 175 and possibly more than 400 civilians were murdered. They show that the crimes included "individual and group acts of murder, rape, sodomy, maiming and assault on non-combatants and the mistreatment and killing of detainees," as well as the burning of dwellings within several sub-hamlets.

They also show that a number of officers and enlisted men participated, in one way or another, in an effort to cover up the crimes.

Only one was ever convicted. Lt. William L. Calley Jr., whose name forever will be associated with Mylai, was convicted of murdering 22 South Vietnamese civilians.



HOWARD W. CALLAWAY  
discloses Mylai data

The report cited what it calls a number of other "commissions and omissions" involving Koster and his failure "to insure that a thorough investigation would be conducted."

"Besides the commissions and omissions cited above," it says, "there is no testimony to indicate that at any time he took any additional positive or aggressive command action to determine the true facts surrounding the operation..."

It also states:

"He may have falsely testified on several matters before this inquiry. For example, he stated that he always kept BG (brigadier general) Young and Col. Parson completely informed, whereas both of them indicated that they had only a minimum of knowledge concerning his actions. (George H. Young was assistant division commander; Nels A. Parson was division chief of staff.)

"He also indicated that he directed a formal investigation and that he had received a report of said investigation from Col. Henderson. This inquiry did not locate such a formal report of investigation nor is there any indication other than from MG. Koster and Col. Henderson that such a report was ever prepared or submitted."

The heart of the Peers report is in its Chapter 12 of findings and recommendations in the first volume. These are broken into four general categories: the events surrounding the operation of March 16-19, 1968; the adequacy of reports, investigations and reviews; the attempts to suppress information, and the actions taken by some 30 individuals.

Mylai was conceived as a fairly routine combat operation involving the 11th Brigade of the Americal Division. The brigade commander was Col. Oran K. Henderson, and one of the platoons was led by Lt. Calley.

The mission was intended to neutralize the village as a logistical support base and staging area, and to destroy elements of an enemy battalion thought to be operating there.

What the report made clear is that Mylai betrayed a number of weaknesses and attitudes that contributed to the massacre. The intelligence was incorrect. It presented, to quote the report, "a false and

misleading picture of the Mylai area as an armed enemy camp, largely devoid of civilian inhabitants."

To compound this, the report pinpoints "a permissive attitude" that had developed among the brigade toward the treatment and safeguarding of civilians. These attitudes were exemplified by an almost total disregard for the lives and property of the civilian population... on the part of commanders and key staff officers."

The murders and atrocities occurred at the hands of American soldiers "under the supervision and control of their immediate superiors."

Some attempts were made to stop the atrocities, the report states, but with few exceptions "such efforts were negligible or too late."

The report does reject one theory about the case—that the soldiers were acting under the influence of marijuana or other narcotics.

No evidence of the use of drugs was obtained.

With regard to the adequacy of reports and investigations, the Peers group issued a devastating indictment of the entire chain of command. The report makes these points:

1. That the commanders of the Mylai task force and the 11th Brigade "had substantial knowledge as to the extent of the killing of noncombatants... only a portion of their information was ever reported to the commanding general of the Americal Division."

2. That although a specific complaint about the commission of war crimes had been made through command channels, action on the charge "was delayed and the severity of the charges considerably diluted by the time it reached the division commander."

3. That nevertheless sufficient information concerning the "highly irregular" nature of the operations reached the commanding general "to require that a thorough investigation be conducted."

4. That an investigation by Col. Henderson, conducted at the direction of Gen. Koster, "was little more than a pretense and was subsequently misrepresented as a thorough investigation... in order to conceal... the true enormity of the atrocities."

5. That "patently inadequate reports of investigation" submitted by Col. Henderson were accepted "at face value and without an effective review" by Gen. Koster.

6. That reports of war crimes, civilian casualties and other serious incidents were received at division headquarters "but were not reported to higher headquarters despite the existence of directives requiring such action."

The Peers inquiry report dealt equally severely with attempts to suppress information about the murders and atrocities. At the company level, it found, there was a failure to report the war crimes that had been committed. Members of one unit were instructed—the report fails to use the word "ordered"—not to discuss what had taken place.

This, the report concludes, "contributed significantly to the suppression of information."

In addition, the report charges that Col. Henderson and at least one other principal staff officer "may have conspired to suppress information to deceive the division commander concerning the true facts."

(Col. Henderson was one of the four soldiers against whom charges were brought. He was tried by courts-martial on cover-up charges, acquitted and subsequently retired.)

In making public much of the official Mylai record, Army Secretary Callaway yesterday obviously sought to put an end to the long controversy. "It's a closed case as far as I'm concerned at this time," he said.

He also added a note of caution.

"In use of this material," he said, "I urge anyone who may read it to exercise judgment and restraint, since much of the material being released has not been challenged in open forum."